IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

Bail Appl..No. 4523 of 2007()

CRIME NO. 121/07 OF CANTONMENT POLICE STATION
CMP.2572/2007 of J.M.F.C.-III,TRIVANDRUM

.....

PETITIONER/ACCUSED (IN CUSTODY)

KUMAR ALIAS KALLA KUMAR,
S/O.KESAVA KURUP, FLAT NO.248, RAJAJI NAGAR,
SECRETARIAT WARD, THYCAUD VILLAGE.

BY ADV. SMT.P.A.ANITHA

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP.BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 4523 of 2007

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Dated this the 23rd day of July, 2007

O R D E R

Second application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 1 litre of arrack and 62 grams of ganja on 26.5.2007. He was arrested and continues in custody from that date. The offence under the N.D.P.S. Act is bailable. Investigation is not yet complete. But it is almost complete, submits the learned Prosecutor.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is given two months time from the date of arrest and appropriate and strict conditions are imposed, and I am satisfied that the petitioners can, notwithstanding the fact that the petitioner is alleged to be involved in seven other similar crimes, now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 26.7.2007. The police shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays between 10 a.m. and 12 noon until further orders.

(d) The petitioner shall not, except for the purpose of complying with condition © above, enter the Sessions Division of Trivandrum, until further orders.

(R. BASANT)
Judge

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